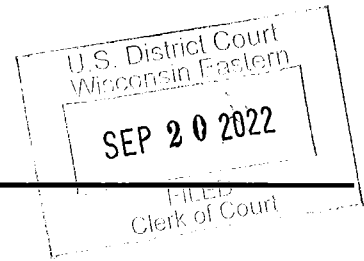


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN



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UNITED STATES OF AMERICA,

Plaintiff,

V.

Case No. 97-CR-98-JPS

DAVID A. KADLEC,

Defendant.

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**DAVID KADLEC'S *PRO SE* RESPONSE TO THE GOVERNMENT'S  
REPLY TO KADLEC'S MOTION FOR COMPASSIONATE RELEASE  
BASED ON 18 U.S.C. § 3582 (C)(1)(A)**

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1. The defendant's *pro se* motion for compassionate release, or in the alternative resentencing, was filed on 12/7/2021 (Docket # 2266).
2. The government replied on 2/15/2022 (Docket # 2275) and stated that the defendant failed to properly exhaust his administrative remedy requests to the warden.
3. Whatever defect may have existed in the original administrative request process has (hopefully) been corrected by the following documentation of the defendant's renewed administrative request to the warden, which began on 3/15/2022:

TO: (Name and Title of Staff Member) <i>Warden Bradley</i>	DATE: <i>3-15-22</i>
FROM: <i>DAVID KADLEC</i>	REGISTER NO.: <i>05035-089</i>
WORK ASSIGNMENT:	UNIT: <i>F-2 cell # 120</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.

*Dear Warden Bradley,*  
*I am writing to respectfully request that I be considered for an early release from prison under the compassionate release program under 18 U.S.C. § 3582(c)(1) and that you treat this as a formal request for a reduction in sentence. (RIS)*  
*See Attachment*

(See separate attachment A-1)

- The following excerpt from the warden's reply establishes that the defendant's renewed administrative remedy request referenced in the preceding paragraph was submitted more than thirty days before today.

TO: Inmate Name: KADLEC, David  
 Reg. No.: 05035-089  
 Unit: Unit F2

This is in response to your Request for a Compassionate Release, which was received on March 15, 2022. In your request, you want to be considered for Compassionate Release based on Program Statement 5050.50, Compassionate Release/Reduction in Sentence due your medical issues where you state that you are in bed and/or a chair for at least 75% of the day, having continued headaches due to an inmate assault in 2021, experiencing dizzy spells and slurred speech.

(See separate attachment A-1)

5. We believe the previous two paragraphs will satisfy the court that the original motion (Docket # 2266) is now ripe for review. <sup>1</sup>
6. We are enclosing the original motion and all attachments and asking the court to rule on the compassionate release/resentencing part of the motion (Docket # 2266).
7. We are withdrawing the request for appointed counsel, but will defer to the court's discretion on the matter. (Attorney Kathleen Quinn has offered to assist with any supplemental filings, should they be needed.)
8. The conditions at USP Canaan under which Mr. Kadlec suffered his brutal attack have deteriorated. Violence occurs daily.
9. Mr. Kadlec appears to have suffered a stroke as the result of the attack and to date has still not been examined by a neurologist. His speech remains slurred.
10. Mr. Kadlec's reduced ability to self-care and protect himself in the highly dangerous environment of the USP has him and his family and friends in great fear for his safety and well-being. The stress is immeasurable.
11. Defendant Kadlec's situation is distinct from that of his codefendants, particularly relative his crimes of conviction.

Thank you,

(on behalf of:)

Defendant, David Kadlec, Pro Se  
Reg. Number: 05035-089

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<sup>1</sup> Separate attachment A-1 also shows that the defendant continued the administrative remedy request process all the way to the BP-11.

USP Canaan  
3057 Eric J. Williams Memorial Dr  
Waymart, PA 18472

Prepared by Andrew Geltzer and others on behalf of David Kadlec.

9371 Holland St.  
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(215)742-5591  
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*Andrew Geltzer*

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### Verification

Pursuant to 28 U.S.C. Section 1746, I declare under the penalty of perjury that the foregoing is true and correct. In addition, the exhibits attached are true and accurate copies of the originals.

Andrew Geltzer  
Andrew Geltzer